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**A better voice for indigenous Australians**

George Vasilev   
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The vexed issue of indigenous representation has surfaced again with Julia Gillard's controversial endorsement of Nova Peris as a Labor Senate candidate for the September 14 election.

Australia has an abysmal record on indigenous representation. Only three indigenous people have ever been elected to federal Parliament. Of those, the Liberals' Ken Wyatt is the only candidate to ever win a seat in the House of Representatives.

In a country where indigenous people comprise 2.5 per cent of the population and with a federal Parliament with 226 seats, we fall way short of the most basic standard of representative fairness that demands legislatures reflect the societies they govern.

Both the Labor and Liberal parties identify indigenous exclusion as a matter warranting urgent attention. Both parties have courted indigenous people as potential representatives to demonstrate their commitment to overcoming this injustice. But if our mainstream parties were serious about dismantling barriers to indigenous representation, they would reform Australia's electoral system. This is the only realistic way to establish a meaningful parliamentary presence for indigenous Australians.

Australia's electoral system is doubly hostile to indigenous candidates. First, its reliance on preferential voting in the House of Representatives ensures that seats won are always skewed in the direction of the major parties. Second, the absence of even the most rudimentary institutional provisions to level the playing field between the indigenous few and non-indigenous many seals the fate of Australia's first peoples as perpetually marginalised.

New Zealand offers Australia a valuable lesson in how to design an electoral system that promotes parliamentary access for its indigenous members. New Zealand has had reserved seats for Maori citizens since 1867. After a referendum in 1993, it scrapped its first-past-the-post system in favour of a proportional representation system to allow the share of seats political parties gain to more accurately reflect the share of votes cast for them. This has generated an enduring and politically consequential presence for Maoris in Parliament.

Variations of this model tailored to Australia would offer a promising remedy for indigenous marginalisation in our politics. Through reserved seats and a route to Parliament not dependent on preselection in major parties, indigenous Australians would gain genuine autonomy over their affairs. They would acquire the ability to speak for themselves and the latitude to convey indigenous perspectives in policymaking, rather than remain under pressure to water down their claims in order to make them fit with the ideologies of non-indigenous parties.

What's more, other legislators would be compelled to show a greater level of accountability towards indigenous interests, because the presence of indigenous representatives would raise the political stakes of ignoring them.

These are the conditions that would enable indigenous Australians to be genuinely self-determining. Unlike the experience of the Aboriginal and Torres Strait Islander Commission, they would not be pursuing their goals in the shadow of a central authority that can revoke their political existence at the stroke of a pen.

These kinds of proposals attract several criticisms. The most commonly voiced ones are that reserved seats amount to preferential treatment, they promote societal disunity, and they open the floodgates for other ethnic groups to demand similar representation.

But if history has taught us anything, it is that treating our most vulnerable members like we treat everybody else can be the very source of their disadvantage. The pursuit of equality often requires that we treat people differently because it is by attending to the specific needs and histories of diverse populations that they gain the ability to participate in society on a par with everybody else. That is why breaking glass ceilings requires that we treat women not like men, but as a group encountering unique social barriers to promotion.

There is no credible evidence to suggest that reserving seats for indigenous peoples is a source of social disunity. Along with New Zealand, countries such as Canada, Norway and Finland all have special legal and political institutions to accommodate their indigenous populations. Far from being socially fragmented, these societies display levels of indigenous integration into mainstream institutions that often surpass Australia's.

Nor does it follow that we must extend this representation to all ethnic groups. Migrants do not share the experience of historical maltreatment that entitles indigenous Australians to reserved seats.

Indigenous Australians owe their status as a marginalised nation to a legacy of violent dispossession and colonisation. For the rest of us, immigration and voluntary submission to the governing institutions of a new land explain our and our ancestors' origins here.

It is this unique history that distinguishes indigenous Australians from other cultural groups and makes their case for dedicated seats so much more morally compelling.

**George Vasilev is a humanities and social sciences postdoctoral fellow at the University of Melbourne.**

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